

Bill Requires Consultation Before Giving Terrorists Miranda Rights

Washington, D.C. - House Republicans today introduced legislation requiring the Justice Department (DOJ) to consult with the Director of National Intelligence and the Secretary of Defense before giving terrorists Miranda rights. The *Ensuring the Collection of Critical Intelligence Act of 2010* (H.R. 4503) requires DOJ to consult with the Director of National Intelligence and the Secretary of Defense before mirandizing or charging a foreign terrorist as a criminal.

Congressman Lungren: "Apprehension of a foreign national who is trying to kill Americans, presents us with the urgent need to obtain information for the protection of our citizens rather than convincing terrorists they have the right to remain silent. These are individuals whose sole purpose is to destroy the fabric of America and the freedoms we enjoy. Giving terrorists the same constitutional rights as American citizens - when they themselves follow no legal code of conduct - is unacceptable and will only weaken our ability to protect the public."

Following the Christmas Day bombing plot, Nigerian terrorist Abdulmutallab admitted to FBI agents that he was an al Qaeda operative who had received explosives training from al Qaeda in the Arabian Peninsula. Despite confessing to being a foreign terrorist affiliated with al Qaeda, Abdulmutallab was informed of his Miranda rights and charged as a civilian criminal. Neither the FBI nor DOJ consulted with the intelligence community before filing the complaint.

According to news reports, Abdulmutallab claimed to be one of many terrorists training with al Qaeda to attack Americans. But now that he has been given access to an attorney,

Abdulmutallab has stopped cooperating with investigators. In other words, our ability to gather critical intelligence about pending attacks against Americans has been lost. A recent *Investor's Business Daily* poll found that 61% of those polled oppose giving Miranda rights to captured terrorists.

House Judiciary Committee Member Dan Lungren (R-CA) joined by 17 Republicans in introducing the bill today, including: Minority Leader John Boehner (R-Ohio), House Republican Conference Secretary John Carter (R-Texas), Armed Services Ranking Member Buck McKeon (R-Calif.), Homeland Security Ranking Member Peter King (R-N.Y.), Foreign Affairs Ranking Member Ileana Ros-Lehtinen (R- Fla.), Judiciary Committee Ranking Member Lamar Smith (R-Texas), Jim Sensenbrenner (R-Wisc.), Howard Coble (R-N.C.), Elton Gallegly (R-Calif.), Trent Franks (R-Ariz.), Louie Gohmert (R-Texas), Jim Jordan (R-Ohio), Jason Chaffetz (R-Utah), and Tom Rooney (R-Fla.), and Congressmen Roy Blunt (R-Mo.), Hal Rogers (R-Ky.) and Don Manzullo (R-Ill.). Representative Manzullo's District includes the Thomson prison, which is slated to be the future home of as many as 50 Guantanamo Bay terrorists.

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Congressman Dan Lungren serves as Ranking Member on the House Administration Committee in addition to serving on the Judiciary and Homeland Security Committees